

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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JOSE ELIBERTO DIAZ SICAP,

Petitioner,

20 **CIVIL** 2638 (MKV)

-against-

**JUDGMENT**

THOMAS DECKER, in his official capacity as  
Director of the New York Field Office of U.S.  
Immigrations & Customs Enforcement, CHAD  
WOLF, in his official capacity as Acting Secretary,  
U.S. Department of Homeland Security, and CARL  
E. DUBOIS, in his official capacity as Sheriff of  
Orange County, New York,

Respondents.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons  
stated in the Court's Opinion and Order dated September 9, 2020, Petitioner has not shown a  
serious medical need to establish a due process violation. Because Petitioner has failed to  
demonstrate that he is in custody in violation of the Constitution, the petition for a writ of habeas  
corpus is DENIED and the case is DISMISSED; accordingly, the case is closed.

**DATED:** New York, New York  
September 10, 2020

**RUBY J. KRAJICK**

**BY:**

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**Clerk of Court**

*K. mango*

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**Deputy Clerk**